

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

MAY 21 2007

**U. S. DISTRICT COURT
E. DIST. OF MO.
ST. LOUIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

HENRY ALLEN,

Defendant.

No. S1-4:07 CR 164 CEJ

SUPERSEDING INFORMATION

COUNT ONE

The United States Attorney charges that:

1. At all times relevant herein, **HENRY ALLEN**, the defendant in this Superseding Information, was a resident of the City of St. Louis, within the Eastern District of Missouri.
2. At all times relevant herein, Global Power Global Wealth Enterprises, LLC, (hereinafter "GPGW") was registered as a limited liability company with the State of Missouri. GPGW maintained a business office at 4144 Lindell, St. Louis, Missouri, within the Eastern District of Missouri. GPGW was sometimes represented as a business organized under the laws of Delaware.
3. At all times relevant herein, Opportunity Lives, LLC, (hereinafter "Opportunity Lives") was registered as a limited liability company with the State of Missouri. Opportunity Lives was associated with GPGW and used common personnel and facilities.
4. At all times relevant herein, Global Wealth Investments, LLC, (hereinafter "Global Wealth") was registered as a limited liability company with the State of Missouri.

Global Wealth was associated with GPGW and used common personnel and facilities. GPGW represented Global Wealth to be a private investment firm and subsidiary of GPGW.

5. At all times relevant herein, Global Wealth Investment Group, LLC, (hereinafter "Global Wealth Investment Group") was registered as a limited liability company with the State of Missouri. Global Wealth Investment Group was associated with GPGW and used common personnel and facilities.

6. At all times relevant herein, GPGW maintained bank accounts at several financial institutions, whose moneys, funds, assets, and accounts were insured by the Federal Deposit Insurance Corporation ("FDIC"), including the following financial institutions:

- A. NetBank
- B. U.S. Bank

7. At all times relevant herein, Andre Mitchell and **HENRY ALLEN** were principal officers of GPGW and represented themselves to investors as officers of GPGW.

8. At all times relevant herein, Andre Mitchell held the titles of president and chief executive officer for GPGW.

9. At all times relevant herein, **HENRY ALLEN** held the titles of vice president and chief operating officer for GPGW. **HENRY ALLEN** was an organizer and registered agent of Opportunity Lives. **HENRY ALLEN** was a registered agent of Global Wealth Investment Group.

10. Beginning no later than in or around July 2004, the exact date being unknown, and continuing until in or around December 2005, within the Eastern District of Missouri and elsewhere,

HENRY ALLEN,

the defendant herein, did knowingly, voluntarily, and intentionally combine, conspire, confederate, and agree with others, including Andre Mitchell, to commit an offense against the United States, to wit: to devise a scheme and artifice to defraud and to obtain money, funds, credits, assets, or other property from investors and potential investors of GPGW by means of material false and fraudulent pretenses, representations, and promises, and to engage in monetary transactions in and affecting interstate commerce involving criminally derived property of a value greater than \$10,000, said criminally derived property taken by said scheme and artifice to defraud, in violation of Title 18, United States Code, Sections 1341 and 1957.

11. In general, the scheme to defraud operated as a pyramid scheme in which pay outs to earlier investors were made with funds obtained from subsequent investors rather than from legitimate investments. This approach created a false appearance of a valid investment strategy, which had the effect of luring investors to make additional payments to the defendants.

12. Many of the persons who "invested" in GPGW were never paid any return on their investment and were never repaid their principal investment.

13. It was an object of the conspiracy to obtain money from investors and use that money to pay prior investors, to pay members of the conspiracy, to pay expenses associated with operating GPGW, and to fraudulently present an image and appearance of success.

14. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** would falsely and fraudulently represent to investors and potential investors that GPGW and its related business entities had purchased real estate, and were using investor funds to purchase real estate in and around the area of St. Louis, Missouri.

15. As part of the conspiracy, Andre Mitchell, **HENRY ALLEN**, and others associated with GPGW solicited investments using a variety of means, including "invitation

only" and "private investment" offerings which were published in private placement memoranda. The private placement memoranda included false, fraudulent, and misleading information, including information regarding the uses to which investor funds would be put, the security of the principal funds provided by investors, and the expected rates of return. In some cases, the private placement memoranda were entitled as "Private Investment Offerings".

16. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** routinely delivered promissory notes, often by U.S. Mail, to persons who had invested money in GPGW and its associated businesses. These promissory notes falsely and fraudulently represented the rate of return and pay schedule.

17. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** would travel to meet with investors and potential investors. In some cases, Andre Mitchell and **HENRY ALLEN** would arrange for and host "money parties" for investors and potential investors to give a false appearance of a successful business.

18. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** would invite investors and potential investors to meet with them in the Eastern District of Missouri.

19. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** provided false and fraudulent reports to investors and potential investors regarding the status of real estate projects allegedly undertaken by GPGW and its related business entities, including reports that falsely and fraudulently represented that certain properties had been purchased and resold for a profit, when in truth and in fact, no such properties had been purchased and resold by GPGW and any of its associated business entities.

20. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** organized and conducted a "house tour" during which investors and potential investors were shown locations in

the St. Louis, Missouri, area which represented areas in which GPGW and its associated companies had purportedly purchased real estate, when in truth and in fact, as Andre Mitchell and **HENRY ALLEN** then knew, GPGW and its affiliated companies had not purchased such real estate.

21. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** would routinely receive funds from investors and deposit those funds into one of GPGW's bank accounts. In some cases, Andre Mitchell and **HENRY ALLEN** directed investors to wire transfer funds directly to a GPGW bank account.

22. As part of the conspiracy, **HENRY ALLEN** would sometimes transfer investor funds from one GPGW account to another GPGW account. **HENRY ALLEN** also purchased cashier's checks and official checks and withdrew cash.

23. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** did not use investor funds for the purposes promised and represented. Rather, investor funds were routinely paid to Andre Mitchell, **HENRY ALLEN**, their relatives, persons associated with GPGW, and to some prior investors.

24. As part of the conspiracy, money paid by investors of Opportunity Lives was used to pay investors of GPGW.

25. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** paid investors with checks drawn on accounts with insufficient funds to cover those checks.

26. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** issued a Private Investment Offering covering October 15, 2004 to December 15, 2004, which solicited investment in a variety of notes, and falsely and fraudulently represented that investor principal "remains secured through a high yield corporate bond program" and that the "only thing ever at

risk is the interest." This Private Investment Offering also requested investors to deliver their investments by wire transfer or by overnight or certified mail.

27. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** issued a Private Investment Offering covering December 31, 2004 to February 25, 2005, which solicited investment in a variety of notes, and falsely and fraudulently represented that investor principal "remains secured through a high yield corporate bond program" and that the "only thing ever at risk is the interest." This Private Investment Offering also requested investors to deliver their investments by wire transfer or by overnight or certified mail.

28. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** issued Private Placement Memorandum # CA-020105B, which falsely and fraudulently represented that proceeds of the offering would be used to purchase real property. Private Placement Memorandum # CA-020105B also falsely and fraudulently represented that investor principal would be "secured through a high yield corporate bond program" and that the "only thing ever at risk is the interest."

29. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** falsely represented and caused to be represented to an investor referred to herein as "JW" that GPGW had bought and sold properties, yielding large profits, and that GPGW never missed a return payment to any investor.

30. As part of the conspiracy, in reliance on information provided by Andre Mitchell and **HENRY ALLEN**, numerous investors, including JW, made substantial investment payments to GPGW, including investments paid by wire transfer. JW was never repaid any of the money he paid to GPGW.

31. As part of the conspiracy Andre Mitchell and **HENRY ALLEN** did not invest the payments made by investors, including JW, as promised but rather diverted investment payments, including using investment payments of JW, to pay themselves and other GPGW investors.

32. As part of the conspiracy, Andre Mitchell and **HENRY ALLEN** mailed and caused to be delivered by mail several promissory notes to JW and others.

33. In furtherance of the conspiracy, between in or around February 2005 and continuing until in or around May 2005, in the Eastern District of Missouri and elsewhere, Andre Mitchell and **HENRY ALLEN** did knowingly send and cause to be sent and delivered by the United States Postal Service from St. Louis, Missouri, to JW in California, a series of promissory notes signed by **HENRY ALLEN** as Vice President of GPGW, including a promissory note having a principal amount of \$25,000, which was mailed on or about May 25, 2005.

34. In furtherance of the conspiracy, between in or around March 2005 and in or around June 2005, within the Eastern District of Missouri and elsewhere, JW originated and caused to be sent numerous interstate wire transfers of funds from California to a GPGW account at U.S. Bank, in St. Louis Missouri, including a wire transfer of approximately \$88,000, transferred on or about March 29, 2005.

35. In furtherance of the conspiracy, after funds invested by JW were wire transferred into a GPGW account at U.S. Bank, those investment funds were co-mingled with other funds and thereafter withdrawn in the form of official U.S. Bank checks made payable to third parties and were not invested as promised.

36. In furtherance of the conspiracy, between in or around March 2005 and in or around May 2005, in the Eastern District of Missouri, Andre Mitchell and **HENRY ALLEN**

did knowingly engage and attempt to engage in monetary transactions in and affecting interstate commerce, and involving the use of financial institutions which were engaged in the activities which affected interstate commerce, in criminally derived property of a value greater than \$10,000 and said property having been derived from specified unlawful activity, that is, mail fraud in violation of Title 18, United States Code, Section 1341, and wire fraud in violation of Title 18, United States Code, Section 1343, including a transaction on or about March 14, 2005, comprising the withdrawal of \$70,000 from a GPGW checking account at U.S. Bank to purchase three U.S. Bank official checks having numbers 504216529 (\$20,000), 504216530 (\$30,000), and 504216531 (\$20,000).

37. In furtherance of the conspiracy, Andre Mitchell and **HENRY ALLEN** knowingly and intentionally transported and caused to be transported in interstate commerce, investment payments having values of \$5,000 or more, from investors living in states other than Missouri, and also induced persons to travel in interstate commerce.

All in violation of Title 18, United States Code, Sections 371.

Respectfully submitted,

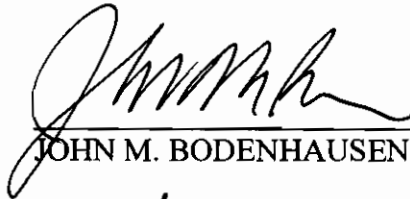
CATHERINE L. HANAWAY
United States Attorney



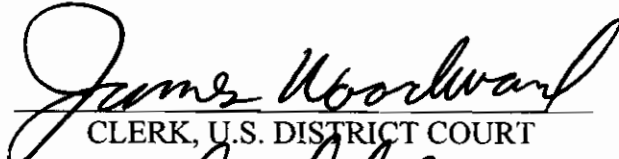
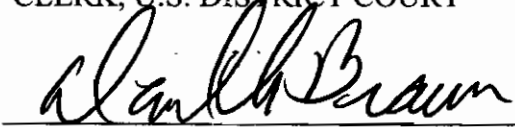
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UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, John M. Bodenhause, Assistant United States Attorney for the Eastern District of Missouri, being duly sworn, do say that the foregoing superseding information is true as I verily believe.


JOHN M. BODENHAUSEN, #94806

Subscribed and sworn to before me this 27th day of April 2007.


CLERK, U.S. DISTRICT COURT
By: 
DEPUTY CLERK